

Message Text

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ACTION EUR-10

INFO OCT-01 AF-04 NEA-06 ISO-00 IO-03 SAM-01 CIAE-00

DODE-00 PM-03 H-01 INR-10 L-02 NSAE-00 NSC-07 PA-01

RSC-01 PRS-01 SP-02 SS-14 USIA-04 DRC-01 EURE-00 /072 W

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P R 081710Z OCT 74

FM AMEMBASSY MADRID

TO SECSTATE WASHDC PRIORITY 176

INFO USINT ALGIERS

AMEMBASSY DAKAR

AMEMBASSY NOUAKCHOTT

AMEMBASSY RABAT

USMISSION USUN

C O N F I D E N T I A L MADRID 6357

E.O. 11652: GDS

TAGS: PFOR, PBOR, SP, SS, MO, AG

SUBJECT: SPANISH OUTLOOK ON SAHARA ISSUE AT UNGA

REF (A) STATE 217945; (B) MADRID 6322; (C) MADRID 6248

1. FOLLOWING IS OUR ASSESSMENT OF CURRENT SPANISH STRATEGY AND INTENTIONS IN SHORT RUN ON SAHARA DISPUTE IN LIGHT OF REFS (B) AND (C).

2. INCREASINGLY CLEAR THAT SPANISH INTEND TO GO AHEAD WITH SAHARA REFERENDUM AROUND MAY 1975. WHILE THERE HAVE BEEN SOME UNCONFIRMED REPORTS, INCLUDING INDICATIONS FROM SPANISH OFFICIALS THEMSELVES, THAT OCCASIONAL SECRET CONTACTS WITH MOROCCANS MIGHT LEAD TO SATISFACTORY DEAL-- SUCH AS REFERENDUM WITH PREARRANGED OUTCOME FAVORABLE TO GOM, WEIGHT OF EVIDENCE NOW IS THAT CONTACTS HAVE PRODUCED NO SUCH UNDERSTANDING. WE UNDERSTAND THAT CONTACTS ARE CONTINUING BUT THAT SPANISH STILL THINKING NOT IN TERMS OF ULTIMATE TRANSFER OF SOVEREIGNTY TO MOROCCO BUT IN TERMS OF FUTURE SAHARAN

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INDEPENDENCE OR AUTONOMY AND WHAT SPAIN CAN CONCEDE TO

MOROCCO TO MAKE THAT OUTCOME PALATABLE.

3. EXACT OPTIONS TO BE OFFERED TO SAHARANS IN REFERENDUM STILL UNDER STUDY, BUT EARLY INDICATIONS ARE THAT THEY WILL BE GIVEN CHOICE OF EITHER CONTINUED ASSOCIATION WITH SPAIN WITH INTERNAL AUTONOMY UNDER SAHARAN STATUTE OR INDEPENDENCE, PROBABLY WITH CONTINUED CLOSE TIES WITH SPAIN. ASSOCIATION ARRANGEMENT WOULD PROBABLY INVOLVE SOME FORM OF STANDING OPTION FOR INDEPENDENCE WHENEVER SAHARANS DECIDE TO EXERCISE IT. AT THIS POINT, INDEPENDENCE WITH "CLOSE TIES" WOULD APPEAR TO ENTAIL CONTINUED MAJOR SPANISH PRESENCE IN SAHARA. PROBABLE ARRANGEMENTS MOST FREQUENTLY SKETCHED BY FOREIGN MINISTRY AND PRESIDENCIA OFFICIALS FORESEE SPANISH PRESENCE RESEMBLING EITHER THAT OF FRANCE IN CHAD AND MAURITANIA OF FRANCE IN DJIBOUTI. SPANISH OFFICIALS APPEAR TO HAVE LITTLE DOUBT SAHARANS WILL HEAVILY FAVOR CONTINUED CLOSE TIES WITH SPAIN IN EITHER PROSPECTIVE OPTION, EVEN IF MODEST NUMBER OF NON-RESIDENTS CERTIFIED TO VOTE AS INDICATED BY DIRECTOR GENERAL FOR SAHARAN AFFAIRS IN REF (B).

4. PUBLIC POSITION OF GOS IS THAT UN HAS BEEN AND SHOULD REMAIN APPROPRIATE AGENCY FOR HANDLING DECOLONIZATION ISSUES AND THEY THEREFORE OPPOSE DIVERSION OF SAHARA QUESTION TO ICJ. SPANISH TOOK SIMILAR POSITION IN REJECTING PAST BRITISH PROPOSAL TO SUBMIT GIBRALTAR ISSUE TO ICJ AND WISH TO BE CONSISTENT ON THIS PRINCIPLE. DIRECTOR GENERAL OF MIDDLE EASTERN AFFAIRS, HOWEVER, HAS ALREADY CONFIRMED PRIVATELY (REF (C) THAT SPAIN WOULD OF COURSE ABIDE BY UNGA DECISION TO TRANSFER DISPUTE TO ICJ. COMMENTS BY HIM AND OTHER MFA OFFICIALS, MOREOVER, LEAVE STRONG IMPRESSION THAT GOS WOULD NOT BE GREATLY CONCERNED, AND EVEN MIGHT BE QUIETLY PLEASED IF UN VOTED TO REFER DISPUTE TO ICJ. THEY ARE CONVINCED THAT SPAIN HAS STRONG CASE AND THAT ICJ DECISION WOULD BE LIKELY TO REFLECT CONCERN AMONG MANY AFRICAN AND OTHER THIRD WORLD STATES OVER DAMAGING PRECEDENT THAT MIGHT RESULT FROM ANY RULING WHICH WOULD QUESTION VALIDITY OF FRONTIERS ESTABLISHED IN AFRICA BY COLONIAL POWERS. IN ANY EVENT, SPANISH IN NO HURRY TO CONDUCT REFERENDUM AND THEY

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FEEL THAT ADJUDICATION BY ICJ WOULD ALLOW THEM LEGALLY TO DELAY DECAPIZATION TIMETABLE FOR AS LONG AS SEVERAL YEARS AND KEEP MOROCCANS CALM WHILE VERDICT IS REACHED AND IMPLEMENTATION OF VERDICT IS WORKED OUT. AT LEAST TWO KEY MFA OFFICIALS HAVE NOTED THAT EVEN VERDICT FAVORABLE TO MOROCCO WOULD LEAVE THEM NO WORSE OFF THAN BEFORE SINCE IT WOULD HAVE PROVIDED REASONABLE PAUSE AND WOULD GIVE SPAIN FACE-SAVING JUSTIFICATION

FOR WITHDRAWAL.

5. IN SUM, SPAIN'S REAL CONCERN FOR NOW CINTINUES TO
BE NOT SO MUCH OUTCOME OF UNGA DEBATES AND POSSIBLE ICJ
INVOLVEMENT AS PROSPECT OF SOME FORM OF UNILATERAL ACTION
BY MOROCCO.RIVERO

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOREIGN RELATIONS, INDEPENDENCE, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 OCT 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: elyme
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974MADRID06357
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740285-0541
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741064/aaaacconf.tel
Line Count: 121
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: (A) STATE 217945; (B) MADRID 6322; (, C) MADRID 6248
Review Action: RELEASED, APPROVED
Review Authority: elyme
Review Comment: n/a
Review Content Flags:
Review Date: 12 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 JUN 2002 by cunninfx>; APPROVED <11 MAR 2003 by elyme>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SPANISH OUTLOOK ON SAHARA ISSUE AT UNGA
TAGS: PFOR, PBOR, SP, SS, MO, AG
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005